

greater in volume than cakes made with skim milk, but were not comparable in volume, flavor, color, tenderness, and texture with cakes made with eggs.

Misbranding of the article was alleged in the information for the reason that the statements, to wit, "Substitute for Eggs * * * For each egg called for in recipe, use one scant teaspoonful of Egg-Nu * * * Contents of this package when used according to directions for cooking and baking is equal to 2 Dozen Eggs * * * Conforms With All Food Laws * * *," borne on the packages containing the article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the said article was a substitute for eggs, that one scant teaspoonful thereof was equal to one egg, that the contents of the said package were equal to 2 dozen eggs, and that it conformed with all food laws, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was a substitute for eggs, that one scant teaspoonful of the article was equal to one egg, that the contents of the said package were equal to 2 dozen eggs, and that it conformed to all food laws, whereas, in truth and in fact, it was not a substitute for eggs, one scant teaspoonful thereof was not equal to one egg, the contents of each of the said packages, to wit, three ounces, were not equal to 2 dozen eggs, and the said article did not conform with all food laws in that it was a mixture composed in large part of cornstarch, which rendered it unfit as an egg substitute.

On August 7, 1920, a plea of nolo contendere to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9515. Misbranding of Kellogg's Sanitone Wafers. U. S. * * * v. 12 Packages and 3 Dozen Packages * * * of * * * Kellogg's Sanitone Wafers. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13297, 13344. I. S. Nos. 11617-t, 365-t. S. Nos. C-2371, C-2107.)

On August 27 and August 16, 1920, respectively, the United States attorney for the District of Kansas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 12 packages and 3 dozen packages of Kellogg's Sanitone Wafers, remaining unsold in the original unbroken packages at Atchison and Wichita, Kans., respectively, alleging that the article had been shipped by the F. J. Kellogg Co., Battle Creek, Mich., on or about August 18, 1919, and April 15, 1920, respectively, and transported from the State of Michigan into the State of Kansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of salts of iron and chromium, capsicum, a laxative plant drug, and a trace of strychnine.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements, regarding the therapeutic or curative effects thereof, appearing in the circular within the package containing the article, to wit, "* * * Uses Of Chromium Sulphate In Medicine. * * * We recommend and advise you to give Kellogg's Sanitone Wafers a fair, persistent trial in any of the diseases or troubles mentioned in the above article. * * * cystitis * * * Prostatic enlargements * * * Uterine fibroid tumors * * * Herpes preputialis. * * * Cirrhosis of the female breast, castra-

tion, menopause, functional impotency in men, chronic alcoholism, nervous vomiting and vomiting in pregnancy, neurasthenia, locomotor ataxia, exophthalmic goiter * * * neurasthenia, exophthalmic goiter, and locomotor ataxia are of particular interest and importance. Results from this salt [chromium sulphate] are speedy and striking. In * * * neurasthenia it deserves the unique position of being the only drug which is curative, * * * Locomotor ataxia is curable with chromium sulphate. * * * Kellogg's Sanitone Wafers have Chromium Sulphate for their chief ingredient * * * were false and fraudulent in that the said statements were applied to the article so as to represent falsely and fraudulently, and to create in the minds of purchasers thereof the impression and belief, that it was capable of producing the therapeutic effects claimed, when, in truth and in fact, it contained no ingredient or combination of ingredients capable of producing such effects.

On December 2, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9516. Misbranding of Hall's Texas Wonder. U. S. * * * v. 6 Dozen, 6 Dozen, 3 Dozen, and 3 Dozen Bottles * * * of Hall's Texas Wonder. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12905, 12925, 12994, 13112. I. S. Nos. 9713-r, 326-t, 18869-r. S. Nos. C-1969, C-1990, C-2009, C-1975.)

On June 11, June 17, July 7, and July 30, 1920, respectively, the United States attorney for the District of Kansas, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 18 dozen bottles of Hall's Texas Wonder, at Topeka, Atchison, and Wichita, Kans., respectively, alleging that the article had been shipped in part by E. W. Hall, and in part by G. Nash, from St. Louis, Mo., on or about June 1, 5, 11, and 22, 1920, respectively, and transported from the State of Missouri into the State of Kansas, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, oil of turpentine, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label of the cartons containing the article and in an accompanying circular, to wit, (carton) "A Remedy For Kidney and Bladder Troubles, Weak and Lame Backs, Rheumatism and Gravel. Regulates Bladder Trouble in Children," (circular headed "Read Carefully") "* * * In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved * * *," were false and fraudulent in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed, and the said statements were applied to the article so as to represent falsely and fraudulently, and to create in the minds of purchasers thereof the impression and belief, that it was capable of producing the therapeutic effects claimed, when, in truth and in fact, it was not.

On September 25, September 27, October 9, and December 2, 1920, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*